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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE CLEANSARK, INC.
DERIVATIVE LITIGATION,

This Document Relates to:

ALL ACTIONS

Case No. 2:21-cv-01004-GMN-BNW

**STIPULATION AND ORDER TO
EXTEND STAY**

The Intervenor Special Litigation Committee of CleanSpark, Inc. (“SLC”), Plaintiffs Andrea Ciceri and Mark Perna (“Plaintiffs”) and Defendants Zachary K. Bradford, Lori L. Love, S. Matthew Schultz, Larry McNeill, Thomas L. Wood, Roger P. Beynon, and Nominal Defendant CleanSpark (“Defendants”, and collectively with Plaintiffs, the “Parties”) in this matter, by and through their respective undersigned counsel, hereby enter into the following stipulation and proposed order:

WHEREAS, on October 9, 2023, the SLC moved to intervene in the above-captioned consolidated federal derivative action and moved to stay the action pending the completion of the SLC investigation. (ECF 75 & 76).

1 **WHEREAS**, on October 23, 2023, this Court granted SLC’s motions to intervene and stay
2 the above-captioned consolidated federal derivative action. (ECF 79).

3 **WHEREAS**, on September 18, 2024, this Court ordered that the parties shall have until
4 October 16, 2024 to file a motion or stipulation addressing whether the stay should be lifted.
5 (ECF 91).

6 **WHEREAS**, on October 16, 2024, the SLC filed its Motion To Defer To The Special
7 Litigation Committee’s Determination That The Claims Should Be Dismissed (“Motion to
8 Defer”) and further moved to have the stay extended until the Court determines its Motion to
9 Defer. (ECF 92). The current deadline for any responses to that motion is October 30, 2024.

10 **WHEREAS**, the parties are currently in the process of negotiating the terms of a stipulated
11 protective order regarding the SLC’s Report and exhibits referenced therein and the parties intend
12 to meet and confer concerning a protocol for further proceedings in this matter and whether a
13 further stay is appropriate.

14 **IT IS SO AGREED AND STIPULATED**, by the Parties hereto, through their
15 undersigned counsel, subject to the approval of the Court as follows:

- 16 1. The stay be extended up to and including November 22, 2024.
- 17 2. Prior to November 22, 2024, the Parties will submit a status update to the Court,
18 and if appropriate a proposed schedule for further proceedings.
- 19 3. That Plaintiffs’ current response deadline to the SLC’s Motion to Defer is hereby
20 vacated and that the Parties will instead met and confer and then submit a proposed briefing
21 schedule to the Court.

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4. Other than as agreed herein, the Parties reserve all rights.

WILK AUSLANDER LLP

LEVERTY & ASSOCIATES LAW CHTD.

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IT IS SO ORDERED. This case shall remain stayed through November 22, 2024.

DATED this 28 day of October, 2024.



Gloria M. Navarro
UNITED STATES DISTRICT JUDGE